



BOARD OF CURATORS
Minutes of the Board of Curators Meeting
TelePresence

Ms. Suzette Heiman, Interim Director of Communications
Media Representatives

General Business

Review of Consent Agenda – No discussion.

Consent Agenda

It was endorsed by President Choi, moved by Curator Steelman and seconded by Curator Snowden, that the following items be approved by consent agenda:

CONSENT AGENDA

Action

1. Minutes, June 19, 2017 Executive Committee Meeting
2. Energy Loan Program of the Missouri Department of Economic Development/Division of Energy, UMKC
3. Amendment, Honor Council Procedures for Violations of the Standards of Professional Growth and Ethical Behavior, UMKC School of Pharmacy
4. Arthroscopic Video Imaging System, MUHC

Roll call vote of the Board:

Curator Chatman voted yes.
Curator Farmer voted yes.
Curator Graham voted yes.
Curator Layman voted yes.
Curator Phillips voted yes.
Curator Snowden voted yes.
Curator Steelman voted yes.

The motion carried.

1. Minutes, June 19, 2017 Executive Committee Meeting – as presented to the Board of Curators.
2. Energy Loan Program of the Missouri Department of Economic Development/Division of Energy, UMKC –

That the following resolution be approved:

WHEREAS, THE CURATORS OF THE UNIVERSITY OF MISSOURI ON BEHALF OF THE UNIVERSITY OF MISSOURI – KANSAS CITY, an authorized Borrower under the Energy Loan Program (the “Public Entity”), through technical analysis and reports, has identified certain energy conservation measures which would benefit the Public Entity by reducing future energy costs to the Public Entity and has applied to the Missouri Department of Economic Development/Division of Energy (“DED/DE”) for a loan to implement such energy conservation measures (the “Project”); and

WHEREAS, at the Public Entity’s request, DED/DE has agreed to lend to the Public Entity certain funds pursuant to Sections 640.651 to 640.686 of the Missouri Revised Statutes (“RSMo”), as amended, up to the maximum amount authorized under Sections 640.651 to 640.686 RSMo based on estimates of savings to be generated from the Project, provided that the Public Entity complies with the various terms and conditions set forth in Sections 640.651 to 640.686 RSMo and in 4 Code of State Regulations 340-2.010 *et seq.*, as amended (the “Regulations”); and

WHEREAS, DED/DE may fund this Loan pursuant to its Energy Loan Program (the “Program”) from the proceeds of revenue bonds issued by the State Environmental Improvement and Energy Resources Authority (the “Authority”) pursuant to a Bond Indenture authorizing the Authority bonds used to fund the Loan (the “Bond Indenture”) among the Authority, DED/DE, and the bond trustee named therein (the “Bond Trustee”); and

WHEREAS, in connection with its participation in the Program the Public Entity will be required to execute certain documents in connection with the Loan;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Public Entity as follows:

Section 1. The Governing Body of the Public Entity hereby finds and determines that it is in the best interests of the Public Entity to enter into the Loan Agreement and execute the Promissory Note in order to obtain funds for the purpose of installing energy conservation measures within the Public Entity. The Governing Body has received approval as required by Section 640.653.2 RSMo, as amended. The total Loan amount is hereby authorized in the amount of \$236,080, which amount shall include (i) estimated maximum construction costs of \$224,233, plus interest to accrue during the period from any draws on the loan by the Public Entity until completion of construction of the Project, (ii) interest on the Loan during the term of the Loan, at a rate of two and three-quarter percent (2.75%), and (iii) a loan origination fee of one percent (1%) of the principal

amount of the Loan. Under the Loan Agreement, the Public Entity agrees to make semiannual payments equal to one half of the annual energy savings until the promissory note is retired.

Section 2. That the Public Entity hereby approves the form of the Loan Agreement, which is attached to this Resolution as Exhibit A, the blank form of Promissory Note, attached hereto as Exhibit C, which would reflect the total amount of Project Cost disbursements, one point origination fee and accrued interest as more fully described therein, and the form of Public Entity's Closing Certificate, attached hereto as Exhibit D.

Section 3. That the chief executive officer and/or chief financial officer of the Public Entity ("Public Entity's Representative"), and each such person hereby is, authorized and empowered and directed to execute, enter into, deliver for and in the name of and on behalf of the Public Entity, under its corporate seal, the following documents (all of such documents, and such other documents, certificates and instruments as may be necessary to carry out the intent of this Resolution, together with any other documents and instruments contemplated

3. University of Missouri – Kansas City School of Pharmacy Honor Council Procedure, UMKC –

that the UMKC School of Pharmacy Honor Council Procedures be modified as attached (and as on file with the minutes of this meeting).

An alleged violation of the Standards of Professional and Ethical Behavior should be reported to the PAL of the Honor Council or designee as soon as possible after discovery of the incident. The Chair shall notify the Dean of all accusations.

B. Preliminary Procedures and Meeting

The PAL shall investigate any reported student misconduct before initiating formal conduct procedures.

The PAL is responsible for notifying the accused, in writing by certified mail, of the allegations brought against him/her prior to the commencement of the preliminary meeting and shall receive a copy of these Procedures for Violations of the Standards of Professional and Ethical Behavior along with the written notice. The PAL shall meet with the accused student to give the student the opportunity to present a personal version of the incident or occurrence.

C. Informal Disposition

The PAL shall have the authority to dismiss an allegation or propose appropriate sanctions to the accused student and shall fix a reasonable time within which the student shall accept or reject a proposed informal disposition.

A failure of the student either to accept or reject within the time fixed shall be deemed to be an acceptance and, in such event, the proposed disposition shall become final upon expiration of such time.

If the student rejects informal disposition, it must be in writing and shall be forwarded to the Honor Council.

D. Prior to Formal Hearing

The PAL shall draft the charge and call the Honor Council into session for a preliminary meeting within 10 working days of receipt of a written accusation of misconduct. The Chair of the Honor Council shall approve meeting dates. In the case that an elected member and an alternate have a conflict of interest in the case, the electing body would choose another member for the one case at the time of the preliminary meeting. [See section IIB for election procedures.] If the case is found to be within the jurisdiction of the Honor Council, a formal hearing will be held. If it is not within the jurisdiction of the Honor Council, the case will be forwarded to the Office of the Vice Chancellor for Student Affairs or other appropriate action will be taken.

- hear together cases involving more than one accused which arise out of the same act of misconduct, but in that event shall make separate findings and determinations for each accused;
- permit a stipulation of facts by the accused involved and the PAL;
- permit the incorporation in the record by a reference of any document, affidavit, or other material produced and desired in the record by the PAL or the accused charged and make a determination of whether the information is relevant to the case at hand.
- question witnesses, the accused, and/or the PAL or challenge other evidence introduced by either the PAL or the accused at any time;
- hear from the Council Chair about dispositions made in similar cases;
- call additional witnesses or require additional investigation,
- dismiss any action at any time;
- permit or require at any time, within a reasonable time as determined by the Council, amendment of the Notice of Hearing to include new or additional matters which may come to the attention of the Council before final determination of the case; provided, however, that in such

- have an advisor or counselor appear with the accused and to consult with such an advisor or counselor before and/or during the hearing; however, the adviser/counselor will not be allowed to question witnesses and/or address members of the Council:
-

E. Record of Hearing

All proceedings of the Honor Council are to be held in the strictest confidence by the members and all other persons involved. The hearings shall be audio taped, and written minutes will also be recorded. The notice, exhibits, hearing record, verdict, and disposition of the Honor Council shall become the record of the Case. This official document shall be filed under strictest security in the permanent records of the Students Affairs Office of the School of Pharmacy. The record shall be accessible at the reasonable times and places to both the

- Witnesses of the School of Pharmacy are to be called by the PAL and identified or written reports of evidence are introduced as appropriate.
- The Council may question witnesses at any time.
- The accused may question witnesses or examine evidence at

The findings and determination of the Honor Council serve as recommendations to the Executive Committee. The Executive Committee, as described in the School of Pharmacy By-Laws, chaired by the Dean or designee, reviews the charge, the finding of fact, the decision of the Council, and the recommended discipline to be imposed from the Honor Council. They also assured that the procedures outlined for the Honor Council were successfully followed.

The Executive Committee has the right to request further information from either party. Either party can also request to address the Executive Committee. In either case, both parties will be notified of the request, the nature of the request, and be asked to attend if deemed necessary by the Executive Committee. Both parties will have the same rights as they have upon hearing as outlined in IV B & C of this document.

The Executive Committee hearings shall be audio taped, and written minutes will also be recorded. The notice, exhibits, hearing record, verdict, and disposition of the Executive Committee shall become the record of the Case. This official document shall be filed in the permanent records of the Student Affairs Office of the School of Pharmacy. The record shall be accessible at the reasonable times and places to both the University and the accused for the purpose of review or appeal.

After deliberation and careful consideration, the Executive Committee approves, by simple majority vote, one of the following actions:

- to sustain the recommendations of the Honor Council;
- to amend the recommendations of the Honor Council to another type of sanction,
- to remand the Honor Council's recommendations; or,
- to reverse the Honor Council's recommendations.

The Dean shall notify the accused of the findings of the Honor Council and the Executive Committee in writing, by certified mail, within seven calendar days of the Executive Committee meeting. Copies of the letter will be sent to the Honor Council Chair, the PAL, and the Office of Student Affairs for placement in the accused's file and in the official hearing file.

VII. Right of Appeal

When a recommendation from the Honor Council and the Executive Committee is made for some form of disciplinary action other than 'no disciplinary action', the accused may appeal such decision to the Chancellor or designated representative by filing written notice of appeal with the Chancellor within ten (10) consecutive calendar days after notification of the decision of the Executive Committee. A copy of the Notice of Appeal will also be given by the accused to the Dean of the School of Pharmacy at the time of filing who will transmit copies to the Executive Committee and the Honor Council. The

accused may file a written memorandum for consideration by the Chancellor with the Notice of Appeal.

The Chancellor or designated representative shall review the record of the case and the appeal documents and may affirm, reverse, or remand the case for further proceedings and shall notify the Dean and the accused in writing of the decision on the appeal. The action of the Chancellor shall be final unless it be to remand the matter for further proceedings.

Status during Appeal: In cases of suspension, dismissal or expulsion where a Notice of Appeal is filed within the required time, the accused may petition the Chancellor in writing for permission to attend classes pending final determination of appeal. The Chancellor may permit the accused to continue in school under such conditions as may be designated pending completion of appellate procedures, provided such continuance will not disrupt the University or constitute a danger to the health, safety or welfare of the University Community. In such event, however, any final disciplinary action imposed shall be effective from the date of the action of the Executive Committee.

VIII. Status of the Standards of Professional and Ethical Behavior

Amendments to the Standards of Professional and Ethical Behavior and/or Honor Council Procedures for Violations may be proposed by petition of any twenty-five members of the student body, or the Honor Council on its own motion, or the faculty.

A proposed amendment in the Standards of Professional and Ethical Behavior and/or Honor Council Procedures for Violations must be approved by a 2/3 majority vote of the Honor Council members present (all members have the right to vote on amendments = 9 votes), by a 2/3 majority vote of the faculty present, by the Chancellor, and the Board of Curators.

The Standards of Professional and Ethical Behavior and/or Honor Council Procedures for Violations may be terminated at any time by action under the general amending procedure.

4. Sole Source, Arthroscopic Video Imaging System, MUHC –

That MUHC be authorized to purchase/lease Arthroscopic Video Imaging System from Arthrex Inc. at a total cost of \$1,676,136.

Funding is as follows:

Missouri Orthopedic Institute OR Operating Fund

H2187-741600

General Business

It was moved by Curator Snowden and seconded by Curator Layman, that there shall be an executive session with a closed record and closed vote of the Board of Curators meeting July 28, 2017 for consideration of:

- **Section 610.021(1), RSMo**, relating to matters identified in that provision, which

BOARD OF CURATORS MEETING – EXECUTIVE SESSION

A meeting of the University of Missouri Board of Curators was convened in executive session at 8:40 A.M., on Friday, July 28, 2017 via TelePresence originating in Ellis Library TelePresence Center, on the University of Missouri campus, Columbia, Missouri and at remote locations via TelePresence and conference telephone pursuant to public notice given of said meeting. Curator Maurice B. Graham, Chairman of the Board of Curators, presided over the meeting.

Present

The Honorable Darryl M. Chatman
The Honorable Jamie L. Farmer
The Honorable Maurice B. Graham
The Honorable Jeffrey L. Layman
The Honorable John R. Phillips
The Honorable Phillip H. Snowden
The Honorable David L. Steelman

Also Present

Dr. Mun Y. Choi, President, University of Missouri System
Mr. Stephen J. Owens, General Counsel
Ms. Cindy S. Harmon, Secretary of the Board of Curators
Mr. Ryan D. Rapp, Vice President for Finance

Health Affairs Committee – Executive Session

Report on contracts, personnel and legal advice – presented by Mr. Robert Hess and Jennifer May

Curator Phillips excused himself from the meeting for the last agenda item due to a conflict of interest.

No action taken by the Board.

The executive session of the Board of Curators meeting recessed at 9:25 A.M. on Friday, July 28, 2017.

BOARD OF CURATORS MEETING – PUBLIC SESSION RECONVENED

A meeting of the University of Missouri Board of Curators was reconvened in public session at 9:30 A.M., on Friday, July 28, 2017 via TelePresence originating in Ellis Library TelePresence Center on the University of Missouri campus, Columbia, Missouri and at remote locations via TelePresence or conference telephone pursuant to public

notice given of said meeting. Curator Maurice B. Graham, Chairman of the Board of Curators, presided over the meeting.

Present

The Honorable Darryl M. Chatman
The Honorable Jamie L. Farmer
The Honorable Maurice B. Graham
The Honorable Jeffrey L. Layman
The Honorable John R. Phillips

form of this resolution to be signed by each member of the Health Affairs Committee.

Roll call vote of Health Affairs Committee

Mr. Ashworth voted yes.

Curator Layman voted yes.

Ms. Maledy was absent.

Curator Phillips voted yes.

Curator Snowden voted yes.

The motion carried.

The Board of Curators delegated authority to the Health Affairs Committee for oversight of the Compliance Program of MU Health.

Finance Committee

Approval of Fiscal Year 2019 State Capital Appropriations Request for Capital Improvements, UM – presented by Vice President Rapp (slides and information on file)

It was recommended by Interim Chancellor Stokes, Chancellor Morton, Interim Chancellor Maples and Chancellor George, endorsed by President Choi, recommended by the Finance Committee, moved by Curator Snowden and seconded by Curator Layman, that the following action be approved:

That President Choi be authorized to submit to the appropriate state offices the University's Fiscal Year 2019 State Capital Appropriations Request as shown on the schedule presented to the Board of Curators (and as on file with the minutes of this meeting).

Roll call vote Full Board:

Curator Chatman voted yes.

Curator Farmer voted yes.

Curator Graham voted yes.

Curator Layman voted yes.

Curator Phillips voted yes.

Curator Snowden voted yes.

Curator Steelman voted yes.

The Honorable David L. Steelman

Also Present

Dr. Mun Y. Choi, President, University of Missouri System

Mr. Stephen J. Owens, General Counsel

Ms. Cindy S. Harmon, Secretary of the Board of Curators

General Business

President's Report on personnel and contracts – presented by President Choi

General Counsel's Report and Legal Advice – presented by General Counsel Owens

No action taken by the Board.

It was moved by Curator Steelman and seconded by Curator Snowden, that the meeting of the Board of Curators, July 28, 2017, be adjourned.

Roll call vote of the Board:

Curator Chatman voted yes.

Curator Farmer voted yes.

Curator Graham voted yes.

Curator Layman voted yes.

Curator Phillips voted yes.

Curator Snowden voted yes.

Curator Steelman voted yes.

The motion carried.

There being no further business to come before the Board of Curators, the meeting was adjourned at 10:45 A.M. on Friday, July 28, 2017.

Respectfully submitted,



Cindy S. Harmon
Secretary of the Board of Curators
University of Missouri System

Approved by the Board of Curators on September 28, 2017.